

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:07-HC-2131-H

UNITED STATES OF AMERICA, )  
                              )  
Petitioner,                )  
                              )  
                              )  
v.                         )                           **ORDER**  
                              )  
                              )  
RICHARD JOHN GRIFFIS,    )  
                              )  
Respondent.               )

On July 20, 2007, the Bureau of Prisons certified Respondent, Richard John Griffis, as a sexually dangerous person pursuant to 18 U.S.C. § 4248. This court referred the matter to United States Magistrate Judge James E. Gates for hearing pursuant to 18 U.S.C. §§ 4247(d) and 4248. With the consent of the parties and based upon the parties' stipulation of facts, Judge Gates filed a Memorandum and Recommendation ("M&R") on September 9, 2011, determining that Respondent is a sexually dangerous person within the meaning of 18 U.S.C. § 4247(a)(5) and (6) and recommending that Respondent be committed to the custody of the United States Attorney General as a sexually dangerous person pursuant to 18 U.S.C. § 4248(d). Both Respondent and the government have since filed notices

indicating they have no objection to the M&R. (See DE #61 & 62.)

Notwithstanding the parties' waiver of any right to object to the M&R, the court has carefully reviewed the M&R and other documents of record, giving due consideration to the serious nature of this proceeding. Having done so, the court hereby finds that the recommendation of the magistrate judge is, in all respects, in accordance with the law and should be approved.

Accordingly, the court ADOPTS the recommendation of the magistrate judge as its own. The court finds, by clear and convincing evidence, that Respondent is a sexually dangerous person within the meaning of 18 U.S.C. § 4247(a)(5) and (6) and that Respondent knowingly and voluntarily consents to commitment under 18 U.S.C. § 4248. The court ORDERS that Respondent, Richard John Griffis, be committed to the custody of the United States Attorney General pursuant to 18 U.S.C. § 4248(d).

The clerk is directed to close this case.

This 13th day of September 2011.



MALCOLM J. HOWARD  
Senior United States District Judge

At Greenville, NC  
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